

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:22-cr-00082-TWP-MJD-1
)	
KEITH JONES,)	
)	
Defendant.)	

ORDER DENYING SECOND MOTION TO RECONSIDER DETENTION ORDER

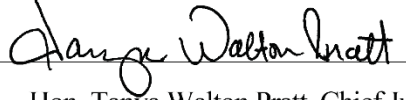
This matter is before the Court on Defendant, Keith Jones' ("Jones") Second Motion to Reconsider Detention and Placement or in the Alternative Grant Defendant Pretrial Release (Filing No. 669). For the second time, Jones asks the Court to reconsider the order of detention entered against him, and order that he be placed in another detention facility which can ensure needed medical care while awaiting trial; or in the alternative grant Jones pretrial release. *Id.*

The background concerning this motion is stated in detail in the Court's Order denying Jones' first request to reconsider detention, (Filing No. 563), so the Court need not repeat it here. In that Order, the Court denied Jones' request to transfer to the BOP or another facility that could provide better treatment. The denial was based on evidence presented at the hearing, and the opinion of the U.S. Marshal service that the Marion County Jail—which provides dialysis treatment within the facility—is the best facility available to care for Jones' medical needs. The Court denied Jones' alternative request for release from detention because clear and convincing evidence showed that even while a dialysis patient, Jones represents an unacceptable danger to the community and by a preponderance of evidence, he presents a substantial risk of nonappearance. *Id.*

In the present Motion, Jones argues that he received inadequate medical treatment and was hospitalized on one occasion, after he complained about his heart rate. The jail's actions in sending Jones to the hospital does not evidence poor medical care; rather it shows appropriate care by seeking outside medical treatment when deemed necessary. Moreover, Jones medical records from that hospital visit show that he refused the proposed medical treatments. (Filing No. 680-1). Jones is clearly knowledgeable concerning his medical conditions, so perhaps his refusal was appropriate. As noted by the Government in their Response brief, the medical records—coupled with the testimony offered at the April 10, 2023 hearing—do not reflect inadequate medical care. The Court remains sympathetic to Jones' medical conditions, however, the nature of his conditions, while serious, are the type that can be properly addressed by medical personnel while he is in custody. Accordingly, the Second Motion to Reconsider (Filing No. 669) is **DENIED**.

SO ORDERED.

Date: 8/10/2023


Hon. Tanya Walton Pratt, Chief Judge
United States District Court
Southern District of Indiana

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